

REMARKS

The present Amendment amends claim 1 and leaves claim 20 unchanged. Therefore, the present application has pending claims 1 and 20.

The present Amendment is supplemental to the November 12, 2008 Amendment and is being submitted to more clearly describe the features of the present invention, said features not taught or suggested by any of the references of record.

Claim 1 stands rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as their invention. Various amendments were made throughout claim 1 in the November 12, 2008 Amendment to bring claim 1 into conformity with the requirements of 35 USC §112, second paragraph. Therefore, this rejection with respect to claim 1 has been overcome and should be withdrawn.

Specifically, amendments were made throughout claim 1 to overcome the objections noted by the Examiner in the Office Action.

Claims 1 and 20 stand rejected under 35 USC §103(a) as being unpatentable over Scheer (U.S. Patent Application Publication No. 2002/0161674) in view of Nagata (U.S. Patent Application Publication No. 2002/0077979). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claims 1 and 20 are not taught or suggested by Scheer or Nagata whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection with respect to claims 1 and 20.

Further, to the November 12, 2008 Amendment amendments are being made to the claims in the present Amendment to more clearly describe features of the present invention as recited in the claims.

Particularly, amendments are being made to the claims in the present Amendment to recite that the present invention provides that a process is performed in which the demand predicting means calculates a planned demand value of a fourth past time period which is different from the second past time period, based on an actual demand value of a third past time period stored in the data storage means which is different from the first past time period, the actual value retrieval means retrieves and totalizes actual demand value corresponding to the fourth past time period, and the predicted remainder calculating means calculates a predicted reminder from the planned demand value of the fourth past time period and the actual demand value of the fourth past time period to obtain a new sample of the predicted reminder.

Further, amendments are being made to the claims in the present Amendment to recite that the present invention provides that the process is repeatedly performed for different past time periods until a necessary number of samples of predicted reminders has been obtained.

The above described features of the present invention as now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other. Particularly, the above described features of the present invention as now more clearly recited in the claims are not taught or suggested by Scheer

or Nagata whether taken individually or in combination with each other as suggested by the Examiner.

Numerous arguments were presented in the Remarks of the November 12, 2008 Amendment distinguishing the features of the present invention from the references of record, said arguments are incorporated herein by reference. Thus, in addition to said arguments the following is provided.

In the Remarks of the November 12, 2008 Amendment it was shown how the features of the present invention are not taught or suggested by Scheer and Nagata. Applicants hereby submit that Scheer and Nagata also do not teach the amended features of the present invention as will be detailed below.

As discussed previously, Scheer relates to supply chain management, and particularly relates to a method for fulfilling an order in an integrated supply chain management using networked computer systems.

The present invention differs from Scheer in that the present invention allows the supply chain participants to have cognizance of the entire operation of the supply chain as it pertains to their respective business interests. The supply chain management system and method of the present invention will allow companies to operate an entire supply chain on a "just in time" basis without requiring those companies to keep an excessive level of product safety stock on hand. Thus, according to the present invention for determination of the amount of inventory needed by a particular supplier, the supply chain management system of the present invention also includes a database of forecast data.

In paragraph 5 of the office action, the Examiner alleges that Scheer discloses “demand predicting means for calculating a predicted value of a demand based on past actual demand information (see abstract, [0004, 0026, 0192, 0197, 0216, 0233, 0239]”. Although the above noted allegation may be true, Scheer more specifically discloses a demand predicting means for calculating a predicted value of a demand during a certain period from the present time point based on past actual demand information. Thus, Scheer does not teach or suggest a new demand predicting method.

The Examiner also alleges that Scheer discloses “wherein the demand prediction means calculates planned demand value of a second past time period based on an actual demand value of a first past time period stored in the data storage means (see [0027-0029]”. However, this allegation by the Examiner is not true.

In Scheer, in each of the demand prediction processing and the expected consumption rate calculation method, a value of a demand during a certain period from the present time point is predicted based on past actual demand information, contrary to the present invention.

Thus, Scheer does not teach or suggest the features of the present invention wherein a process is performed in which the demand predicting means calculates a planned demand value of a fourth past time period which is different from the second past time period, based on an actual demand value of a third past time period stored in the data storage means to obtain a new sample of the predicted reminder as in the present invention as now more clearly recited in the claims.

The above described deficiencies of Scheer are not supplied by any of the other references of record. Particularly, the above described deficiencies of Sheer are not supplied not Nagata. Thus, combining the teachings of Scheer and Nagata in the manner suggested by the Examiner in the office action still fails to teach or suggest the features of the present invention as recited in the claims.

Nagata is directed to solve the following problems. In Nagata, although a replacement part such as a toner cartridge is required in order to continuously use a copying machine or a printer, a user tends to purchase and stock many replacement parts in advance as spare parts. However, such replacement parts may not be used finally. In recent years, since budgets tend to be reduced, the cost of replacement parts should also be reduced. Since the cost of parts is not charged at the time of using the parts but at the time of purchasing the parts, there may be a tendency to order more parts than necessary. Nagata provides a system which charges in accordance with a using state so that a cost is charged only to parts having been actually used to thereby suppress excessive costs resulting from the above described tendency.

The Examiner notes in paragraph 5 of the Office Action that Nagata discloses a data storage means storing therein in time sequence the respective setting values and the actual demand information at every unit time period from a past time to a present time (see [0179, 0270-272, 0278-0279,0326]). This disclosure in Nagata relates to Fig. 32. However, Fig 32 of Nagata shows a data table for product-in-circulation, which relates unique data of product-in-circulation (toner cartridges) to contract signer's IDs of the

toner cartridges. The table of Fig. 32 is used so as to specify a signer of a toner cartridge of a unique data by using the unique data as a retrieval key.

Thus each of Scheer and Nagata fails to teach or suggest that a process is performed in which the demand predicting means calculates a planned demand value of a fourth past time period which is different from the second past time period, based on an actual demand value of a third past time period stored in the data storage means which is different from the first past time period, the actual value retrieval means retrieves and totalizes actual demand value corresponding to the fourth past time period, and the predicted remainder calculating means calculates a predicted remainder from the planned demand value of the fourth past time period and the actual demand value of the fourth past time period to obtain a new sample of the predicted remainder as recited in the claims.

Further, each of Scheer and Nagata fails to teach or suggest that the process is repeatedly performed for different past time periods until a necessary number of samples of predicted reminders has been obtained as recited in the claims.

Therefore, since each of Scheer and Nagata fails to teach or suggest the features of the present invention as clearly recited in the claims, combining Scheer and Nagata in the manner suggested by the Examiner does not render obvious the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 1 and 20 as being unpatentable over Scheer in view of Nagata is respectfully requested.

In view of the foregoing amendments and remarks, Applicants submit that claims 1 and 20 are in condition for allowance. Accordingly, early

allowance of the present application based on claims 1 and 20 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.43002X00).

Respectfully submitted,

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